

UNITED STATES DISTRICT COURT

for the

Southern District of New York

Ritchard Yanowitz

Plaintiff, Counterclaim-Defendant

v.

Divatex Home Fashion, Inc.

Defendant, Counterclaim-Plaintiff

v.

Brandon Yanowitz

Counterclaim-Defendant

Civil Action No. 15-cv-807 (KBF)

SUMMONS IN A CIVIL ACTION

To: *(Counterclaim defendant's name and address)*

Brandon Yanowitz
352 Hil Ray Avenue
Wyckoff, New Jersey 07481

A lawsuit has been filed against defendant Divatex Home Fashion, Inc., who as counterclaim-plaintiff is making this claim against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(3) — you must serve on the plaintiff and on the defendant an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the defendant or defendant's attorney, whose name and address are:

Anne C. Patin, Esq.
Seward & Kissel LLP
One Battery Park Plaza
New York, New York 10004

It must also be served on the plaintiff or plaintiff's attorney, whose name and address are:

Bruce D. Meller, Esq.
Peckar & Abramson, PC
41 Madison Avenue, 20th Floor
New York, New York 10004

If you fail to respond, judgment by default will be entered against you for the relief demanded in the counterclaims. You also must file the answer or motion with the court and serve it on any other parties.

A copy of the plaintiff's complaint is also attached. You may – but are not required to – respond to it.

Date: 4/16/2015



CLERK OF COURT

/S/ Courtney DeCasseres

Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: